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Gp 2812

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Attorney Docket No.: NECW 18.281

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#14
Response
Muller
1/15/03

Inventor: Toru TATSUMI et al.

Serial No.: 09/744,701

Filed: January 29, 2001

Title: **METHOD OF VAPOR PHASE GROWTH OF METAL OXIDE
DIELECTRIC FILM AND APPARATUS FOR VAPOR PHASE
GROWTH OF METAL DIELECTRIC MATERIAL**

Examiner: H. Jey Tsai

Group Art Unit: 2812

Assistant Commissioner for Patents
Washington, D.C. 20231

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ELECTION

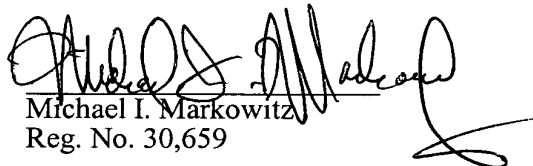
SIR :

In response to the Office Action mailed on December 5, 2002, the period for responding thereto having been set to expire after January 5, 2003, Applicant hereby elects, with traversal, the first species of a vapor phase growth method for forming metal oxide dielectric film, for prosecution at this time. Claims 47-56 and 61-90 are readable on the first species.

The Election Requirement is traversed since the remainder of the claims presently not withdrawn from consideration, claims 57-60 and 91-94, include more than the alleged two species indicated by the Examiner. For instance, claims 57-60 and 91-94 include the step of forming a MOS-type transistor on a semiconductor device substrate, which is not included in either of the two alleged species. Applicant reserves the right to file continuing application(s) based on the second species of forming a capacitor, if the Examiner makes the Election Requirement final. Early examination on the merits is earnestly solicited.

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Respectfully submitted,


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